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No. 31] NEW DELHI, JULY 31—AUGUST 6, 2022, SATURDAY/SRAVANA 9—SRAVANA 15, 1944

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कोयला मंत्रालय

नई दिल्ली, 2 अगस्त, 2022

का.आ. 705.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाबद्ध अनुसूची में वर्णित परिक्षेत्र की भूमि में से कोयला अभिप्राप्त होने की संभावना है ;

और उक्त अनुसूची में वर्णित भूमि के क्षेत्र के विवरण को अंतर्विष्ट करने वाला रेखांक संख्यांक आरईवी/07/2022, तारीख 25 जून, 2022 का निरीक्षण सेंट्रल कोलफील्ड्स लिमिटेड (भूमि और राजस्व विभाग), दरभंगा हाउस, राँची – 834029 (झारखण्ड) के कार्यालय में या महाप्रबंधक, सेंट्रल कोलफील्ड्स लिमिटेड, नार्थ करणपुरा क्षेत्र, जिला राँची (झारखण्ड) या उपायुक्त, जिला राँची, झारखंड के कार्यालय में या महाप्रबंधक (खोज प्रभाग) आर.आई.-III, केन्द्रीय खान योजना एवं डिजाईन संस्थान लिमिटेड, गोंडवाना पैलेस, कांके रोड, राँची (झारखंड) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता- 700001 के कार्यालय में किया जा सकता है ;

अतः अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अनुसूची में वर्णित भूमि में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

ऊपर उल्लिखित अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति –

- (i) उक्त अधिनियम की धारा 4 की उप-धारा (3) के अधीन की गई किसी कार्रवाई से हुए किसी नुकसान क्षति या संभावित नुकसान के लिए, अधिनियम की धारा 6 के अधीन प्रतिकर का दावा कर सकेगा; अथवा
- (ii) उक्त अधिनियम की धारा 13 की उप-धारा (1) के अधीन प्रभावी न रहने पर पूर्वेक्षण अनुज्ञप्तियों के संबंध में या उक्त अधिनियम की धारा 13 की उप-धारा (4) के अधीन प्रभावी न रहने पर खनन पट्टे के लिए प्रतिकर का दावा कर सकेगा और उक्त अधिनियम की धारा 13 की उपधारा (1) के खण्ड (i) से खंड (iv) में विनिर्दिष्ट मदों के संबंध में उपगत व्यय को उपदर्शित करने के लिए पूर्वोक्त भूमि से संबंधित सभी मानचित्रों, सारणियों और अन्य दस्तावेजों को,

इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिनों के भीतर महाप्रबंधक, सेंट्रल कोलफील्ड्स लिमिटेड, नार्थ करणपुरा क्षेत्र, जिला राँची (झारखण्ड) या महाप्रबंधक, सेंट्रल कोलफील्ड्स लिमिटेड, भूमि और राजस्व विभाग, दरभंगा हाउस, राँची – 834029 (झारखण्ड) को सुपुर्द करेगा।

अनुसूची

रोहिणी करकट्टा 10 एमटीवाई ओपनकास्ट परियोजना

जिला - राँची (झारखण्ड)

(रेखांक संख्यांक आरईवी/07/2022, तारीख 25 जून, 2022)

ब्लॉक	क्रम सं.	ग्राम	थाना सं.	अंचल	जिला	अर्जन के अधीन क्षेत्र		टिप्पणी
						एकड़ में	हेक्टेयर में	
ए	1.	नावाडीह	4	खलारी	राँची	996.06	403.09	भाग
	2.	तुमांग	5	खलारी	राँची	1572.55	636.39	भाग
	3.	करकट्टा	6	खलारी	राँची	211.35	85.53	भाग
	4.	मायापुर	7	खलारी	राँची	100.05	40.49	भाग
	5.	हेसालौंग	2	खलारी	राँची	01.11	0.45	भाग
	कुल क्षेत्र (ब्लॉक - ए)					2881.12	1165.95	
बी	1.	हेसालौंग	2	खलारी	राँची	16.43	6.65	भाग
	2.	नावाडीह	4	खलारी	राँची	3.09	1.25	भाग
	कुल क्षेत्र (ब्लॉक - बी)					19.52	7.90	

सी	1.	नावाडीह	4	खलारी	राँची	0.07	0.03	भाग
	कुल क्षेत्र (ब्लॉक - सी)					0.07	0.03	
अर्जन के अधीन कुल क्षेत्र (ए + बी + सी)						2900.71 एकड़ (लगभग)	1173.88 हेक्टेयर (लगभग)	

सीमा वर्णन:

ब्लॉक	सीमा रेखा	सीमा वर्णन
ए	ए1- ए 2- ए 3- ए 4- ए 5-ए6 -ए7-ए8-ए9- ए10-ए11-ए12-ए13-ए14-ए15-ए16- ए17- ए18- ए19- ए20- ए21- ए22- ए23- ए24- ए25- ए26- ए27- ए28- ए29- ए30- ए31- ए32- ए33- ए34- ए 35-ए36 -ए37- ए38-ए39- ए40- ए41-ए42 -ए43-ए44- ए45- ए46- ए47-ए48 -ए49-ए50-ए51- ए52- ए53-ए54 -ए55-ए56- ए1.	रेखा बिन्दु 'ए1' से आरंभ होकर ए2, ए3, ए4, ए5, ए6, ए7, ए8, ए9, ए10, ए11, ए12, ए13, ए14, ए15, ए16, ए17, ए18, ए19, ए20, ए21, ए22, ए23, ए24, ए25, ए26, ए27, ए28, ए29, ए30, ए31, ए32, ए33, ए34, ए35, ए36, ए37, ए38, ए39, ए40, ए41, ए42, ए43, ए44, ए45, ए46, ए47, ए48, ए49, ए50, ए51, ए52, ए53, ए54, ए55 और ए56 से गुजरते हुए आरंभिक बिन्दु 'ए1' पर मिलती है।
बी	ए25-बी1-बी2-बी3-बी4-बी5-बी6-ए25.	रेखा बिन्दु 'ए25' से आरंभ होकर बिन्दु बी1, बी2, बी3, बी4, बी5 और बी6 से गुजरते हुए आरंभिक बिन्दु 'ए25' पर मिलती है।
सी	बी5-सी1-सी2-बी5.	रेखा बिन्दु 'बी5' से आरंभ होकर बिन्दु सी1 और सी2 से गुजरते हुए आरंभिक बिन्दु 'बी5' पर मिलती है।

[फा. सं. 43015/10/2022-एलएएण्डआईआर]

राम शिरोमणि सरोज, निदेशक

MINISTRY OF COAL

New Delhi, the 2nd August, 2022

S.O. 705.—Whereas, it appears to the Central Government that coal is likely to be obtained from the land in the locality described in the Schedule annexed hereto;

And, whereas, the plan bearing number Rev/07/2022, dated the 25th June, 2022, containing details of the areas of land described in the said Schedule may be inspected at the office of the Central Coalfields Limited (Land and Revenue Department), Darbhanga House, Ranchi- 834029 (Jharkhand) or at the office of the General Manager, Central Coalfields Limited, North Karanpura Area, District Ranchi (Jharkhand) or at the office of the Deputy Commissioner, District Ranchi (Jharkhand) or at the office of the General Manager (Exploration Division), RI- III, Central Mine Planning and Design Institute, Gondwana Palace, Kanke Road, Ranchi (Jharkhand) or at the office of the Coal Controller, 1, Council House Street, Kolkata- 700 001;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal in land described in the said Schedule ;

Any person interested in the land described in the above mentioned Schedule may –

- (i) claim compensation under section 6 of the said Act for any damage caused or likely to be caused by any action taken under sub-section (3) of section 4 of the said Act; or
- (ii) claim compensation under sub-section (1) of section 13 of the said Act in respect of prospecting license ceasing to have effect or under sub-section (4) of section 13 of the said Act, for mining lease ceasing to have effect and deliver all maps, charts and other documents relating to the aforesaid land to show the expenditure incurred in respect of items specified in clauses (i) to (iv) of sub-section (1) of section 13 of the said Act,

to the office of the General Manager, Central Coalfields Limited, North Karanpura Area, District Ranchi (Jharkhand) or General Manager, Central Coalfields Limited, Land and Revenue Department, Darbhanga House, Ranchi - 834029 (Jharkhand) within a period of ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE

ROHINI KARKATTA 10 MTY OPENCAST PROJECT

DISTRICT- RANCHI (JHARKHAND)

[plan bearing number Rev/07/2022, dated the 25th June, 2022]

Block	Serial number	Village	Thana number	Circle	District	Area under acquisition		Remarks
						in acres	in hectares	
A	1.	Nawadih	4	Khalari	Ranchi	996.06	403.09	Part
	2.	Tumang	5	Khalari	Ranchi	1572.55	636.39	Part
	3.	Karkatta	6	Khalari	Ranchi	211.35	85.53	Part
	4.	Mayapur	7	Khalari	Ranchi	100.05	40.49	Part
	5.	Hesalong	2	Khalari	Ranchi	01.11	0.45	Part
Total Area of Block – A:						2881.12	1165.95	
B	1.	Hesalong	2	Khalari	Ranchi	16.43	6.65	Part
	2.	Nawadih	4	Khalari	Ranchi	3.09	1.25	Part
Total Area of Block – B:						19.52	7.90	
C	1.	Nawadih	4	Khalari	Ranchi	0.07	0.03	Part
Total Area of Block – C:						0.07	0.03	
Total Area under acquisition (A+B+C) :						2900.71 acres (approximately)	1173.88 hectares (approximately)	

Boundary description:

Block	Boundary line	Boundary description
A	A1–A2–A3–A4–A5–A6–A7–A8–A9–A10–A11–A12–A13–A14–A15–A16–A17–A18–A19–A20–A21–A22–A23–A24–A25–A26–A27–A28–A29–A30–A31–A32–A33–A34–A35–A36–A37–A38–A39–A40–A41–A42–A43–A44–A45–A46–A47–A48–A49–A50–A51–A52–A53–A54–A55–A56–A1.	Line starts from point 'A1' and passes through points A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14, A15, A16, A17, A18, A19, A20, A21, A22, A23, A24, A25, A26, A27, A28, A29, A30, A31, A32, A33, A34, A35, A36, A37, A38, A39, A40, A41, A42, A43, A44, A45, A46, A47, A48, A49, A50, A51, A52, A53, A54, A55 and A56 and meets at starting point 'A1'.
B	A25–B1–B2–B3–B4–B5–B6–A25.	Line starts from point 'A25' and passes through points B1, B2, B3, B4, B5 and B6 and meets at starting point 'A25'.
C	B5–C1–C2–B5.	Line starts from point 'B5' and passes through points C1 and C2 and meets at starting point 'B5'.

[F. No. 43015/10/2022-LA&IR]

RAM SHIROMANI SAROJ, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 27 जुलाई, 2022

का.आ. 706.— पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50) (इसके बाद उक्त अधिनियम कहा गया है) की धारा 2 की उप-धारा (ए) के अनुसरण में, केन्द्र सरकार उक्त अधिनियम के अधीन निम्न तालिका के कॉलम (2) में उल्लिखित क्षेत्रों के संबंध में कॉलम (3) में उल्लिखित प्रचालनरत पेट्रोलियम पाइपलाइनों के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड हेतु उक्त अधिनियम के अंतर्गत सक्षम प्राधिकरण के कार्यों के निष्पादन के लिए निम्न तालिका के कॉलम (1) में उल्लिखित व्यक्ति को प्राधिकृत करती है : —

व्यक्ति का नाम और पता	क्षेत्राधिकार का क्षेत्र	पेट्रोलियम पाइपलाइन (न्स) का नाम	परिवहन किए जाने वाले उत्पाद / उत्पादों
(1)	(2)	(3)	(4)
श्री आर बालमुर्गण वरिष्ठ प्रचालन प्रबंधक, इंडियन ऑयल कॉर्पोरेशन लिमिटेड चेन्नई बैंगलोर पाइपलाइन	आंध्र प्रदेश राज्य	चेन्नई बैंगलोर पाइपलाइन	एमएस, एचएसडी, पीसीके, ऐटीएफ

इससे पूर्व दिनांक 18 सितंबर 2017 के भारत के राजपत्र में प्रकाशित दिनांक 23 सितंबर 2017 के का.आ. 2226 के अंतर्गत आंध्रा प्रदेश राज्य में इंडियन ऑयल कॉर्पोरेशन लिमिटेड के लिए अधिसूचित सक्षम प्राधिकारी, श्री के वी एस मूर्ति, प्रचालन प्रबंधक को डी-नोटिफाइड समझा जाए।

यह अधिसूचना जारी होने की तारीख से लागू होगी।

[फा. सं. आर-11025(11)/19/2018-ओआर-1/ई-27024]

पी. सोमाकुमार, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 27th July, 2022

S.O. 706.—In pursuance of sub-section (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), (hereinafter called the said Act), the Central Government hereby authorizes the person mentioned in column (1) of the table given below to perform the functions of the Competent Authority under the said Act for Indian Oil Corporation Limited in respect of areas mentioned in column (2) for the operational petroleum pipelines laid under the said Act mentioned in Column (3) of the said Table:—

Name and Address of the Person	Area of Jurisdiction	Name of Petroleum Pipeline(s)	Product/products being transported
(1)	(2)	(3)	(4)
Shri R Balamurugan Senior Operations Manager, Indian Oil Corporation Limited Chennai Bangalore Pipeline	Andhra Pradesh sector	Chennai Bangalore Pipeline	MS, HSD, PCK, ATF

Earlier notified Competent Authority for Indian Oil Corporation Limited in the State of Andhra Pradesh, Shri K V S Murthy, Operations Manager, vide S.O. 2226 dated 18th September 2017 published in the Gazette of India dated 23rd September 2017 stands de-notified.

This notification will be effective from the date of its issue.

[F. No. R-11025(11)/19/2018-OR-1/E-27024]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 27 जुलाई, 2022

का.आ.707.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50) (इसके बाद उक्त अधिनियम कहा गया है) की धारा 2 की उप-धारा (ए) के अनुसरण में, केन्द्र सरकार उक्त अधिनियम के अधीन निम्न तालिका के कॉलम (2) में उल्लिखित क्षेत्रों के संबंध में कॉलम (3) में उल्लिखित प्रचालनरत पेट्रोलियम पाइपलाइनों के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड हेतु उक्त अधिनियम के अंतर्गत सक्षम प्राधिकरण के कार्यों के निष्पादन के लिए निम्न तालिका के कॉलम (1) में उल्लिखित व्यक्ति को प्राधिकृत करती है : —

व्यक्ति का नाम और पता	क्षेत्राधिकार का क्षेत्र	पेट्रोलियम पाइपलाइन (न्स) का नाम	परिवहन किए जाने वाले उत्पाद / उत्पादों
(1)	(2)	(3)	(4)
श्री शोभित उपाध्याय अनुरक्षण प्रबंधक, इंडियन ऑयल कॉर्पोरेशन लिमिटेड बरौनी कानपुर पाइपलाइन	उत्तर प्रदेश राज्य	बरौनी कानपुर पाइपलाइन	एमएस, एचएसडी, पीसीके

इससे पूर्व दिनांक 17 अगस्त 2019 के भारत के राजपत्र में प्रकाशित दिनांक 23 जुलाई 2019 के का.आ. 1466 के अंतर्गत उत्तर प्रदेश राज्य में इंडियन ऑयल कॉर्पोरेशन लिमिटेड के लिए अधिसूचित सक्षम प्राधिकारी, श्री विनय कुमार, सहायक प्रबंधक (तकनीकी सेवाएँ) बीकेपीएल इलाहाबाद को डी-नोटिफाइड समझा जाए।

यह अधिसूचना जारी होने की तारीख से लागू होगी।

[फा. सं. आर-11025(11)/19/2018-ओआर-1/ई-27024]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 27th July, 2022

S.O. 707.—In pursuance of sub-section (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), (hereinafter called the said Act), the Central Government hereby authorizes the person mentioned in column (1) of the table given below to perform the functions of the Competent Authority under the said Act for Indian Oil Corporation Limited in respect of areas mentioned in column (2) for the operational petroleum pipelines laid under the said Act mentioned in Column (3) of the said Table:—

Name and Address of the Person	Area of Jurisdiction	Name of Petroleum Pipeline(s)	Product/products being transported
(1)	(2)	(3)	(4)
Shri Shobhit Upadhyay Operations Manager, Indian Oil Corporation Limited Barauni Kanpur Pipeline, Barauni	Uttar Pradesh sector	Barauni Kanpur Pipeline	MS, HSD, PCK

Earlier notified Competent Authority for Indian Oil Corporation Limited in the State of Uttar Pradesh, Shri Vinay Kumar, Assistant Manager (Technical Services), BKPL Allahabad, vide S.O. 1466 dated 23rd July 2019 published in the Gazette of India dated 17th August 2019 stands de-notified.

This notification will be effective from the date of its issue.

[F. No. R-11025(11)/19/2018-OR-1/E-27024]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 27 जुलाई, 2022

का.आ. 708.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50) (इसके बाद उक्त अधिनियम कहा गया है) की धारा 2 की उप-धारा (ए) के अनुसरण में, केन्द्र सरकार उक्त अधिनियम के अधीन निम्न तालिका के कॉलम (2) में उल्लिखित क्षेत्रों के संबंध में कॉलम (3) में उल्लिखित प्रचालनरत पेट्रोलियम पाइपलाइनों के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड हेतु उक्त अधिनियम के अंतर्गत सक्षम प्राधिकरण के कार्यों के निष्पादन के लिए निम्न तालिका के कॉलम (1) में उल्लिखित व्यक्ति को प्राधिकृत करती है :—

व्यक्ति का नाम और पता	क्षेत्राधिकार का क्षेत्र	पेट्रोलियम पाइपलाइन (न्स) का नाम	परिवहन किए जाने वाले उत्पाद / उत्पादों
(1)	(2)	(3)	(4)
श्री वेंकटराम रामावत निर्माण प्रबंधक, इंडियन ऑयल कॉर्पोरेशन लिमिटेड पारादीप हैदराबाद पाइपलाइन	तेलंगना राज्य	पारादीप हैदराबाद पाइपलाइन	एमएस, एचएसडी, पीसीके, ऐटीएफ, रिफॉर्मेट

यह अधिसूचना जारी होने की तारीख से लागू होगी।

[फा. सं. आर-11025(11)/19/2018-ओआर-1/ई-27024]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 27th July, 2022

S.O. 708.—In pursuance of sub-section (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), (hereinafter called the said Act), the Central Government hereby authorizes the person mentioned in column (1) of the table given below to perform the functions of the Competent Authority under the said Act for Indian Oil Corporation Limited in respect of areas mentioned in column (2) for the operational petroleum pipelines laid under the said Act mentioned in Column (3) of the said Table:—

Name and Address of the Person	Area of Jurisdiction	Name of Petroleum Pipeline(s)	Product/products to be transported
(1)	(2)	(3)	(4)
Shri Venkatram Ramavath Construction Manager, Indian Oil Corporation Limited Paradip Hyderabad Pipeline	Telangana sector	Paradip Hyderabad Pipeline	MS, HSD, PCK, ATF, Reformate

This notification will be effective from the date of its issue.

[F. No. R-11025(11)/19/2018-OR-1/E-27024]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 1 अगस्त, 2022

का.आ. 709.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में पेट्रोलियम और प्राकृतिक गैस मंत्रालय के प्रशासनिक नियंत्रणाधीन सार्वजनिक क्षेत्र के उपक्रम के निम्नलिखित कार्यालय में कार्य बंद हो जाने के कारण अनधिसूचित करती है।

**इंजीनियर्स इंडिया लिमिटेड,
सीआरएल ऐरोमेटिक परियोजना,
डाकघर अम्बालामुगल,
जिला कोचीन, पिन 682302 (केरल)**

[फा. सं. 11012/3/2021-ओएल]

शोभना श्रीवास्तव, उप निदेशक (राजभाषा)

New Delhi, the 1st August, 2022

S.O. 709.—In pursuance of Sub Rule (4) of Rule 10 of the Official Language (Use for official purpose of the Union) Rules, 1976, the central Government hereby denotifies the following office of the Public Sector undertaking under the administrative control of the Ministry of Petroleum & Natural Gas, due to work closure.

**Engineers India Limited
CRLAeromatic Project
PO Ambalamugal
District Kochin, Pin – 682302 (Kerla)**

[F. No. 11012/3/2021-OL]

SHOBHANA SRIVASTAVA, Dy. Director (OL)

श्रम और रोजगार मंत्रालय

नई दिल्ली, 28 जुलाई, 2022

का.आ. 710.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हेवी इंजीनियरिंग कॉर्पोरेशन लिमिटेड, रांची के प्रबंधन के संबंध में नियोजकों और कामगारों, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार में औद्योगिक अधिकरण एवं श्रम न्यायालय-1, धनबाद पंचाट (संदर्भ संख्या 03 of 2018) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.06.2022 को प्राप्त हुआ था।

[सं. एल-42011/155/2017- आईआर-(डीयू)]

डी. के. हिमांशु, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 28th July, 2022

S.O. 710.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 03 of 2018) of the Central Government Industrial Tribunal-cum-Labour-1, Dhanbad, as shown in the Annexure, in the Industrial dispute between the employers in relation to Heavy Engineering Corporation Limited, Ranchi and The Worker, which was received along with soft copy of the award by the Central Government on 24.06.2022.

[No. L-42011/155/2017- IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947

Reference: No. 03/2018

Employer in relation to the management of Heavy Engineering Corporation Limited, Ranchi

AND

THEIR WORKMAN

Present: Shri Dinesh Kumar Singh, Presiding Officer

Appearances:

For Employer : Sri Kiran, Dy. Manager.

For workman : Sri Bhawan Singh, Representative.

State : Jharkhand.

Industry:-Heavy Industry

Dated : 24.02. 2022

AWARD

By Order No.L-42011/155/2017 (IR(DU)) dated 21.03.2018, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of management of Heavy Engineering Corporation Ltd. (HECL) Ranchi in entertaining Hatia Project Workers’ Union and by ignoring three trade unions for joint bargaining is an unfair labour practice under the ID Act, 1947? If yes, what directions are necessary in the case?”

2. After receipt of the reference, both the parties were noticed. The President of Hatia Mazdoor Union (CITU) Sri Bhawan Singh has filed its written statement of claim on 14/03/2019 and the management of Heavy Engineering Corporation Limited, Ranchi has filed its written statement cum rejoinder on 18/10/2019.

3. The President of Hatia Mazdoor Union (CITU) Sri Bhawan Singh has filed rejoinder to the written statement of the management on 08/11/2019.

4. The claim of the President of Hatia Mazdoor Union (CITU) as per its written statement is as follows:-

That in the year 1960 Hatia Project Workers Union (INTUC) came into existence in the management of Heavy Engineering Corporation Limited and was recognized by the management. Later on, the union was registered under the Trade Union Act. Subsequently other unions came into existence which were registered under the Trade Union Act and the Hatia Mazdoor Union (INTUC) was one them. The followers/members of Hatia Project Workers Union started decreasing with the passage of time but its recognition continued. The Hatia Project Workers and other trade unions of Heavy Engineering Corporation Ltd. Ranchi had been approaching the management of Heavy Engineering Corporation Ltd. Ranchi to find out solution of the issue which would be fair, reasonable and legal but even after expiry of 60 years, the management had not taken any step for the betterment of the workers, till today as a result of which strike and lock out took place. The Hatia Mazdoor Union had also drawn the attention of the State Labour Department on the point of recognition and the State Government took initiative for verification of the membership of all the registered Trade Unions of Heavy Engineering Corporation Ltd. Ranchi. The Govt. Of Jharkhand had communicated the result of verification vide letter no. 2/T-2-10-32/ dated 09/02/2016 to the management of Heavy Engineering Corporation Ltd. Ranchi for necessary action and as per result of the membership verification, the existing recognized trade union, the Hatia Project Workers Union (INTUC) stood at third position as it could secure only 19% of the total votes and the position of other trade unions namely Hatia Mazdoor Union (INTUC) and Hatia Mazdoor Lok Manch secured 20% each higher than the recognized trade union as a result the Hatia Project Workers Union became inoperative w.e.f. 09/02/2016 as per Judgment of Delhi High Court. In the meantime Hatia Mazdoor Union had sent letter to the Chairman cum Managing Director on 07/03/2016 to recognize the following trade unions:- i) Hatia Mazdoor Union (CITU) ii) Hatia Mazdoor Lok Manch jointly but the notice was not taken by the management and the status of Hatia Project Workers Union continued as it was. After that the Hatia Mazdoor Union (CITU), Hatia Mazdoor Lok Manch and Hatia Kamgar Union (AITUC) had jointly requested the management of H.E.C. Ltd. to constitute a Joint Bargaining Committee Vide Letter Dated 03/10/2016 but the management had not taken any notice on their request. The Central Public Sectors like Damodar Valley Corporation, Bhilai Steel Plant (SAIL), Neyveli lignite Corporation Ltd. and BSNL had constituted Joint Recognition Committee wherever the membership of the concerned trade union is very low. The Hatia Mazdoor Union (CITU) had invoked the provision made U/S 4 of the I.D. Act for mediating and promoting the settlement of Industrial Dispute but the H.E.C. Ltd. Ranchi denied the demand of the unions as a result Conciliation Officer has submitted failure report resulting to reference on this case.

5. On the other hand the case of the management as per its written statement is as follows:-

That this case is not maintainable and a mistake and error is apparent on the face of record, so the reference is not sustainable in eye of law and liable to be dismissed in limine. The grant of recognition of the union cannot be brought under section 2(k) of the Industrial Dispute Act and it cannot be the subject matter of the Industrial Dispute. The trade union has neither common law right nor statutory right which enables and entitles it to compel an employer to give recognition to it as the bargaining agent of its members. The grant of recognition of union is not a fundamental rights of any union claiming violation of his right to be recognized is completely unjustified in law. The union is deluded and mistaken of the fact that registration and recognition are two sides of the same coin and the Trade Union Act, 1926 except for providing registration of the union do not oblige any employer to recognise any particular union and no procedure has been prescribed for grant of any recognition. The securing of maximum votes in membership verification of the workmen does not automatically accord the status of recognized union and the membership verification has very limited effect of according a union only registration, not recognition. The H.E.C. Ltd. Ranchi has started its production activities in the year 1963 and since then it had faced many problems of multiplicity of trade unions. There is no statutory provision for recognition of Trade Unions in Trade Unions Act, 1926 but the H.E.C. Ltd. Ranchi had provided equal status and opportunity to every registered Trade Union to

exercise their right of collective bargaining for the social, economic and cultural upliftment of the workers. The H.E.C. Ltd. Ranchi from time to time had conducted meetings and discussions with all the registered trade unions to resolve issues and hear grievances in respect of service conditions of its members. The committee on issues related to production, productivity, safety, welfare and wage administration had been formed comprising of representatives of the management and two/three representatives of each registered Trade Unions in the company and till date four number of meetings had been held with the said committee with the management representative.

The trade unions have developed inter-union rivalries and they are in constant competition against each other, so the unions are more concerned with the dominance of their respective unions rather than raising any genuine concern related to the interest of the workers. The last membership verification, which was held on 22/12/2015 through secret ballot and as per result submitted by the Assistant Labour Commissioner, the six registered unions namely Hatia Project Workers Union got 133 votes, Hatia Mazdoor Lok Manch got 136 votes, Hatia Mazdoor Union got 136 votes, Hatia Kamgar Union got 106 votes, H.E.C.L Sharmik Karmachari Union got 133 votes and Janta Mazdoor Union got 39 votes. The result shows that none of the unions has got 50% of votes or more members of union and two number of unions have secured maximum 18.18% of votes and two number of unions have secured 17.78% of votes, so on the basis of such result of the membership verification, Hatia Mazdoor Union (CITU), Hatia Mazdoor Lok Manch and Hatia Kamgar Union (AITUC) had requested the management to provide recognition of them. There is no concept of forming an alliance of different Trade Unions and union should either operate separately or dissolve itself completely and merge into another and from a different entity all together. The Hatia Mazdoor Union along with H.E.C Vetan Punarikshan Manch and four other registered unions had given one day strike on 03/09/2019 and in this regard a conciliation meeting was held in the Office of Regional labour Commissioner (Central), Ranchi on 27/08/2019 where the Conciliation Officer requested all union to refrain from the proposed strike and advised the management and the Unions to constitute a committee to examine the affordability and sustainability pertaining to wage revision 2017 in H.E.C. Ltd. Ranchi. Subsequently H.E.C. Vetan Punarikshan Manch comprising Hatia Mazdoor Lok Manch and Hatia Kamgar Union had taken decision to withdraw the strike called by them on 03/09/2019 but Hatia Mazdoor Union stood to their demands and accordingly went on strike on 03/09/2019. The concept of Joint Recognition Committee is not applicable in HEC as all the three plants and the headquarters are situated in Ranchi itself. The management of H.E.C. Ltd. Ranchi after considering the inter rivalry among the different trade unions and also on the completion of three years of membership verification which was held on 22/12/2015 had approached the Labour Department, Government of Jharkhand for conducting Membership Verification by secret ballot and the same was being conducted on 15/10/2019 but President of Hatia Mazdoor Union (CITU) had made a request to postpone the membership verification. The President of Hatia Mazdoor Union has also not submitted their nominations pertaining to a committee constituted for wage revision 2017 in HEC. The President of Hatia Mazdoor Union used to instigating its member for strike, gheraos of the members of the managerial staff, staging demonstrations at the Headquarters and Plants Gates resulting distributing of plant activities.

A prayer has been made to dismiss the reference case.

6. The Hatia Mazdoor Union has filed its rejoinder in which it has denied all the averments made by the management of HEC Ltd. Ranchi in its written statement.

7. The representative of Hatia Mazdoor Union and the management of H.E.C. Ltd. Ranchi have neither adduced any witness nor proved any documents in support of their case.

8. The representative of the union namely Hatia Mazdoor Union, Hatia Mazdoor Lok Manch and Hatia Kamgar Union have submitted before the Tribunal that the Hatia Mazdoor Union (CITU) and other trade unions are registered under Trade Union Act, 1926 and thereafter none of the unions have sufficient workforce to claim recognition. He has also submitted that the State Government in 2004 had conducted membership verification on the request of management of the company and found five trade unions namely Hatia Project Workers' Union (INTUC), Hatia Mazdoor Lok Manch, Hatia Mazdoor Union (CITU), Hatia Kamgar Union (AITUC) and Heavy Engineering Workers Union were found having more than 100 workmen and all the unions remained operative in the Company. He has also submitted that the membership verification of the trade unions was again conducted on 22/12/2015 and in that verification membership of Hatia Project Workers Union was found 133 whereas membership of other trade unions namely Hatia Mazdoor Union and Hatia Mazdoor Lok Manch had been found 136 members each and Hatia Kamgar Union had 106 members but the management did not take any action on the basis of the result of the membership verification for recognition of the Trade Unions for the purposes of the sole bargaining agent on the behalf of the workmen. He has also argued that Hatia Project Workers' Union had secured only 19.24% of the total votes polled and thus lost the representative character but the management had tacitly allowed the recognition of the Hatia Project Workers' Union. He has also submitted that the all the three unions namely Hatia Mazdoor Union, Hatia Mazdoor Lok Manch and Hatia Kamgar Union had requested the management of the Company for Joint Recognition of the trade unions and for constituting a Joint Committee of Trade Unions but the management did not consider it and thereafter the Hatia Mazdoor Union requested the Chief Labour Commissioner (Central), Govt. of India for intervention in this matter. He has also argued that the Deputy Chief labour Commissioner (Central), Dhanbad and Conciliation Officer initiated a conciliation proceeding between the management of the Company and the trade unions but the dispute was not be settled. He has also argued that the management had allowed the continuation of the

recognition of Hatia Project Workers' Union and that amounts to unfair labour practice as per clause 2 of the Fifth Schedule of the Industrial Disputes Act, 1947 as the management of the company is showing partiality and granting favour to one of the several trade unions namely Hatia Project Workers' Union, so it is an "Industrial Dispute" defined Under Section 2(k) of the Industrial Disputes Act, 1947 and the reference is maintainable in the eyes of law. He has also submitted that the Trade Union having representative character is being recognized by the management of that Industry on the basis of its membership and management cannot recognize any trade union of its choice arbitrarily and whimsically. He has also submitted that there is no justification for continuation of recognition of Hatia Project Workers' Union after verification of the membership. He has further argued that the claim of the management that it is providing equal status and opportunity to every trade unions to exercise their right of collective bargaining is farce and is a blatant lie as the management is giving status of recognition to the Hatia Project Workers' Union. He has also submitted that it is not a fact that most of the trade unions have developed inter-union rivalries and the purpose of raising this dispute is to stop the unfair labour practices.

9. On the other hand the learned representative of the management has submitted before Tribunal that this reference is not maintainable and there is a mistake and error apparent on the face of the record. He has also argued that this reference case is not covered under 2(k) of the Industrial Dispute Act as the trade unions have been excluded for becoming a party to the Industrial Dispute. He has also argued that neither the Trade Unions Act, 1926 nor any other statutory enactment envisages regarding the provision of recognition of a trade union and no procedure has been prescribed for grant of any recognition. He has also submitted that the claim of the union that it should be recognized on the basis of the result of membership verification is not sustainable in the law and the management had provided equal status and opportunity to every registered union to exercise their right for collective bargaining for the social, economic and cultural upliftment of the workers. He has also submitted that the management of HEC had conducted meetings and discussions with all the registered unions to resolve issues and hear grievances/ allegation of union in respect of service condition of members. He has also argued that the management of HEC only entertained Hatia Project Workers' Union by ignoring other trade unions for joint bargaining is completely wrong. He has also submitted that there is no concept of forming an alliance of different trade unions and a union should either operate separately or dissolve itself completely and merge into another. He has lastly submitted to dismiss this reference case as it is not an Industrial Dispute.

10. Now, the only point of consideration in this case is whether the action of management of Heavy Engineering Corporation Ltd. (HECL) Ranchi in entertaining Hatia Project Workers' Union and by ignoring three trade unions for joint bargaining is an unfair labour practice under the I.D. Act, 1947.

FINDINGS

11. At the outset of discussion it is required to mention here that it is an admitted fact that there are six registered unions namely Hatia Project Workers' Union, Hatia Mazdoor Lok Manch, Hatia Mazdoor Union, Hatia Kamgar Union, HECL Sharmik Karamchhari Union and Janta Mazdoor Union working in HECL Ranchi and the membership verification was held on 22/12/2015 through secret ballot in which Hatia Project Workers' Union got 133 votes (18.095%), Hatia Mazdoor Lok Manch got 136 votes (18.503%), Hatia Mazdoor Union got 136 votes (18.503%), Hatia Kamgar Union got 106 votes (14.421%), HECL Sharmik Karmachari Union got 133 votes (18.095%) and Janta Mazdoor Union got 39 votes (5.306%).

12. At this stage it is relevant to mention here that the Unfair Labour Practices has been defined under section 2 (ra) of the Industrial Dispute Act which reads as follows:-

Section 2 (ra)- "unfair labour practice" means any of the practices specified in the Fifth Schedule."

Further in the Fifth Schedule of the I.D. Act there are two parts,- one part is unfair labour practices on the part of employers and trade unions of employees and the other part is on the part of workmen and trade unions of workmen.

The part one of the Fifth Schedule has mentioned altogether 16 points where there is unfair labour practices on the part of employers and trade unions of employers and under point 15 it is mentioned that to refuse to bargain collectively in good faith with the recognized trade unions.

13. The recognition of trade union has been mentioned in Recognition Of Union, Under The Code Of Discipline (Ministry of Labour Department of Labour Government of India).

The code provides for two types of recognition- (1) A union can claim to be recognised as representative union for an industry as a whole in local area or (2) It can claim recognition as the majority union in the establishment.

Further rule 8 of the Code of Discipline reads as follows:-

A union can claim to be recognised as a majority union in an establishment if –

(i) It has been functioning for a period of one year after registration under the Trade Unions Act.

The requirement need not be fulfilled if it is the only union functioning in the establishment.

In case of branches of a union recognised under the code as a representative union for the industry, the qualifying period of one year is not to be insisted upon for granting recognition to the branch union at the unit level provided it satisfies the prescribed membership qualification and is operating in the same local industry as the representative union.

- (ii) it considers that it commands a majority of membership – in any case not less than 15% of the workers of that establishment,
- (iii) it has not been found responsible for a breach of the Code within one year immediately before claiming recognition,
- (iv) the existing recognised union, if any, in the establishment has completed a period of two years after recognition under the Code.

14. Here, in this case it is required to mention here that the State Government had taken steps for verification of the members of all the registered trade union of H.E.C, Ranchi and the result of verification communicated to the management of H.E.C, vide letter no. 2/T-2-10-32/ dated 09/02/2016 which shows that Hatia Mazdoor Union has 136 members i.e. 18.503%, Hatia Mazdoor Lok Manch has 136 members i.e. 18.503%, Hatia Project Wokers Union (INTUC) has 133 members i.e. 18.095%, H.E.C.L Sharmik Karmachari Union has 133 members i.e. 18.095%, Hatia Kamgar Union has 106 members i.e. 14.42% and Janta Mazdoor Union has 39 members i.e. 5.306%.

15. At this stage it is relevant to mention here that as per recognition of unions under the Code of Discipline it is very much clear that an union can claim to be recognized as a majority union in an establishment if it has been functioning for a period of one year after registration, it commands a majority of the Membership - in any case not less than 15% of the workers, it has not been found responsible for a breach of the Code within one year and the existing recognised union, if any has completed a period of two years after recognition under the Code.

16. Now, in view of above verification of membership of all the registered trade union of H.E.C, Ltd. Ranchi, the Tribunal comes to conclusion that the Hatia Mazdoor Union and Hatia Mazdoor Lok Manch which have secured 136 votes each amounting to 18.503% each and as per rule 8 of Recognition of union under the Code of Discipline they can claim to be recognized as majority union in H.E.C. Ltd. Ranchi.

17. Now, the question arises whether the management of H.E.C.L, Ranchi in entertaining Hatia Project Workers' Union and by ingnoring three others trade unions for joint bargaining is an unfair labour practice?

18. Here in this case the management of H.E.C. Ltd, Ranchi has allowed Hatia Project Workers' Union to be represented in different committees for bargaining with the management which has 133 members less than the members of Hatia Mazdoor Union and Hatia Mazdoor Lok Manch. The three trade unions namely Hatia Mazdoor Union, Hatia Mazdoor Lok Manch and Hatia Kamgar Union have requested the management of H.E.C.Ltd., Ranchi to constitute a joint bargaining committee but the management had not taken any notice in request.

19. On the other hand the management in his reply has stated that there is no concept of forming of alliance of different trade unions, so the request of the union was not accepted.

20. Now, in this reference case it is very much clear that the two trade unions of H.E.C. Ltd. Ranchi, namely Hatia Mazdoor Union and Hatia Mazdoor Lok Manch have secured 136 votes of members each, so both the trade unions are majority unions and as per recognition of unions under the Code Of Discipline, they can claim to be recognised as a majority unions in the establishment of H.E.C. Ltd. Ranchi.

21. Further the refusal to bargain collectively with the recognised trade union comes under point 15 of the Unfair Labour Practices of Fifth Schedule of the I.D. Act.

22. In view of above discussions the Tribunal comes to the conclusion that the management of H.E.C. Ltd., Ranchi in entertaining Hatia Project Workers' Union and by ignoring three trade unions for joint bargaining comes under Unfair Labour Practice under the I.D. Act.

23. Hence, the Tribunal directs the management of H.E.C .Ltd., Ranchi to recognise the majority unions of the establishment namely Hatia Mazdoor Union and Hatia Mazdoor Lok Manch and allow both the unions to bargain collectively in the affairs of the management of H.E.C. Ltd., Ranchi.

This is the Award of the Tribunal.

DINESH KUMAR SINGH, Presiding Officer

नई दिल्ली, 27 जुलाई, 2022

का.आ. 711.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अधीक्षण पुरातत्वविद्, भारतीय पुरातत्व सर्वेक्षण, आगरा (यूपी); महानिदेशक, भारतीय पुरातत्व सर्वेक्षण, जनपथ, नई दिल्ली (यू.पी.), के प्रबंधन के संबद्ध नियोजकों और श्री दिलीप कुमार, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर पंचाट (संदर्भ संख्या 10 of 2016) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 26.07.2022 को प्राप्त हुआ था।

[सं. एल-42012/01/2016-आईआर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 27th July, 2022

S.O. 711.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 10 of 2016) of the Central Government Industrial Tribunal cum Labour Court – Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Superintending Archeologist, Archeological Survey of India, Agra(U.P.); The Director General, Archeological Survey of India, Janpath, New Delhi and Shri Dilip Kumar, worker which was received along with soft copy of the award by the Central Government on 26.07.2022.

[No. L-42012/01/2016-IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT, KANPUR

SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER

PRESENT : SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 10 of 2016

L-42012/01/2016-IR(DU) dated 15.02.2016

BETWEEN :

Shri Dilip Kumar S/o Shri Mohan Singh,
H. No. 116, Dahtora,
AGRA (U.P.)-282007

AND

1. The Superintending Archeologist
Archeological Survey of India,
Agra Circle, 22, Mall Road,
AGRA (U.P.)-282001
2. The Director General,
Archeological Survey of India,
Janpath, New Delhi-110011

AWARD

This award arises in respect of the reference mentioned in the schedule stated below as received from the Government of India in Letter No. L-42012/01/2016-IR(DU) dated 15.02.2016.

SCHEDULE

“Whether the action of the management of Archaeological Survey of India, Agra in terminating services of Shri Dilip Kumar S/o Shri Mohan Singh workman with effect from 01.07.2013 is just fair & legal ? If not, to what relief the workman concerned is entitled to? ”

On receipt of notification notice was issued to the parties on 15th March, 2016. In response to the notice the AR of the worker filed the claim statement on 22.04.2016. Later on 24.10.2016 AR of the management filed a written statement. On 07.12.2017 A.R of the worker filed rejoinder. From thereon the case was fixed for filing of the documents of the worker. On perusal of the record it is found that the worker failed to make his presence before this Tribunal and did not file the documents.

On 05.04.2022, during the pendency of the dispute A.R of the worker filed a memo declining his interest to pursue the dispute. The worker failed to communicate with the A.R despite his several futile attempts to intimate the worker regarding the proceeding of the dispute. This clearly manifests reluctance and non interest of the workman to pursue the case. Pleadings of the workman are not to be read as substantive evidence.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

Let a soft copy be sent to the Ministry and two hard copies of the same will follow in due course of time.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 27 जुलाई, 2022

का.आ. 712.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार निदेशक, भारतीय प्रौद्योगिकी संस्थान, जी.टी. रोड, कानपुर, (यू.पी.), के प्रबंधन के संबद्ध नियोजकों और श्री घनश्याम पांडेय, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर पंचाट (संदर्भ संख्या 43 /2021) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 26.07.2022 को प्राप्त हुआ था।

[सं. एल-42025/07/2022-20-आईआर-(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 27th July, 2022

S.O. 712.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 43/2021) of the Central Government Industrial Tribunal cum Labour Court – Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Director, Indian Institute of Technology, G.T. Road, Kanpur, (U.P.) and Shri Ghanshyam Pandey, worker which was received along with soft copy of the award by the Central Government on 26.07.2022.

[No. L-42025/07/2022- 20- IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—CUM-LABOUR COURT, KANPUR

SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER

PRESENT : SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 43 of 2021

No.K-10/2-6/2021-IR dated 26.10.2021

BETWEEN :

Shri Ghanshyam Pandey S/o Late Udai Shanker Pandey,
7/8/C, Dena Bank Colony, Nankari, I.I.T,
Kanpur-208016 (U.P.)

AND

The Director, Indian Institute of Technology,
G.T. Road, Kanpur-208016

ORDER**11.05.2022**

The averments in the claim application are concisely stated as here under:-

The applicant workman was initially appointed as daily waged "Typist" dated 19.10.1983 in Microprocessor Training Programme in the Research and Development Department of the Indian Institute of Technology, Kanpur hereinafter referred as Opposite Party.

On the basis of excellent work and conduct of the applicant, his services were regularly extended time to time in various departments and projects initiated by Research and Development Department of the Opposite Party on the post of LDC-Cum-Typist.

Pursuant to an advertisement dated August 13, 1986 for filling up the post of UDC (Account) and LDC-Cum-Typist and in furtherance of the same a Selection Committee, as approved the director IIT Kanpur, was constituted which held its meeting on 6th October, 1986.

It is pertinent to mention here that the above posts were Sanctioned Post and were in the nature of regular and permanent Post. The budgetary Provisions to meet out the expenses against salary and allowances of selected employees were born out from Research and Development Fund of the Institute.

During the selection process the applicant was also interviewed by Selection Committee and a panel of selected candidates was prepared for filling the post arising in future. The name of the applicant was at serial No. 3 for the post of LDC-Cum-Typist in General Category. The competent authority approved the above panel for providing temporary appointment for one year on 09.10.1986.

The applicant completed approximately 6 years of service on consolidated salary and there was a policy decision already present for grant of regular pay scale. The Head and Coordinator of project also recommended for grant of regular pay scale. It is pertinent to mention here that the other similarly situated persons who were appointed by the same selection committee and process and were junior as on date of their joining, were granted the benefit of aforesaid as per past practices developed by the Institute opposite party.

As the Administration of the opposite party has not given any heed to the request of the applicant, the applicant was left with no option except to approach the Hon'ble High Court of Allahabad vide CMWP12415 of 1989. As and when the opposite party on getting knowledge about the Writ Petition, terminated the services of the applicant w.e.f 09.07.1989 without following the procedure enshrined in the Section 25F of the Industrial Disputes Act, 1947.

It may be stated that the manner, in which the services of the applicant have been terminated, amounts to retrenchment within the meaning of the word in the aforesaid Act, 1947 as he having been in continuous service for 240 days in a year therefore, he could not have been retrenched without complying with the provisions of Section 25F in the Central Act. It may be stated that the applicant has not been paid any retrenchment compensation. He has not been given any notice or pay in lieu thereof as is required in the aforesaid Act of 1947 nor a notice has been sent by the Central Government. These conditions being mandatory for the retrenchment in compliance with the provision would invalidate the very termination of the services of the plaintiff with effect from 08.07.1989 making him entitled to reinstatement in his former post of work, with benefits of continuity of service and full back wages for the intervening period of unemployment.

Both sides did appear. Copy of the order dated 04.04.2022 passed by Hon'ble Allahabad High Court in writ C.NO. 1214 of 2022 has been placed before this Tribunal. On going through the aforesaid order it is seen that Hon'ble Allahabad High Court dealt the subject matter.

"Whether the action of management of Indian Institute of Technology, Kanpur in terminating the services of Shri Ghanshyam Pandey S/o Late Udai Shanker Pandey, Clerk-cum-Typist w.e.f 09.07.1989, is legal and justified? If not, to what relief the workman is entitled to and from which date?"

Discussing the background of the reference it has been observed by Hon'ble Allahabad High Court in following words:—

35. *Therefore, there is no doubt that the adjudication made by the writ Court on the earlier occasion covered within its sweep, the entire scope of reference now sought by means of the impugned order. The reference/administrative order cannot seek to undo the judicial pronouncement made by the Court. Such a reference, if allowed, to exist may only give rise to two fact eventualities. One, the Labour Court may plainly follow the earlier adjudication made by this Court. In that case, reference made would be futile. If the Labour Court were to choose to take a different view in face of the findings recorded by the writ Court (that have attained finality), such adjudication or award would remain in the teeth of the adjudication of this Court. Therefore, that award would remain inherently defective in jurisdiction as may never be allowed to stand upon adherence to principle of judicial discipline. In fact, no industrial dispute exists, as on date.*

36. *Accordingly, the present writ petition is **allowed**. The reference order is quashed. No order as to costs, as the matter pertains to a workman.*

Since the reference has been quashed by the Hon'ble Allahabad High Court in the order referred above no award can be passed.

In view of the aforesaid order of the Hon'ble Allahabad High Court this proceeding stands closed without award.

Let a soft copy be sent to the Ministry and two hard copies of the same will follow in due course of time.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 2 अगस्त, 2022

का.आ. 713.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 50/2020) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01.08.2022 को प्राप्त हुआ था।

[सं. एल-22013/01/2022-आई.आर. (सीएम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 2nd August, 2022

S.O. 713.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 50/2020) of the Central Government Industrial Tribunal-cum-Labour Court, LUCKNOW as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workmen, received by the Central Government on 01.08.2022.

[No. L-22013/01/2022-IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT : SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 50/2020

Ref. No. D-868/AB/2020/57/IRDDN Dated 03.09.2020/09.09.2020

BETWEEN :

Shri Rakesh Kumar, S/o Shri Shambu Dayal
Village – Behta, Post – Devarkla
PS & Tehsil – Bighapur, Distt. – Unnao (UP)

AND

1. The General Manager (Principal Employer), Food Corporation of India
Regional Office, T.C.3, V-Vibhuti Khand, Lucknow (UP)
2. The Regional Manager (Appointing Authority)
Food Corporation of India (FCI), Distt. Officer, Shahjahanpur (UP)
3. Sh. Rajender Saxena (Representative)
M/s Keshav Singh and Ors. T.P. No. 315, Katia Tolla
Shahjanapur (UP)

AWARD

1. This industrial dispute concerning termination of workman, Rakesh Kumar, has been raised before this Tribunal by No. D-868/AB/2020/57/IRDDN Dated 03.09.2020/09.09.2020, issued by the Dy. Chief Labour Commissioner (C), Dehradun.

2. The reference under adjudication is:

"WHETHER THE TERMINATION OF THE SERVICE OF SHRI RAKESH KUMAR S O SHRI SHAMBHU DAYAL, WHO WAS ENGAGED IN ROJA DEPOT OF FCI, SHAHAJANPUR, (UP) BY M/S KESHAV SINGH, CONTRACTOR OF FCI, FOR THE PERIOD 07.08.2008 TO 23.04.2010 IS PROPER AND JUSTIFIED. IF NOT, TO WHAT RELIEF, THE WORKMAN IS ENTITLED TO?"

3. The order of reference was endorsed to the Shri Rakesh Kumar, S/o Shri Shambu Dayal, Village – Behta, Post – Devarkla, PS & Tehsil – Bighapur, Distt. – Unnao with direction to the party raising the dispute to file the statement of claim along with relevant documents and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under rule 10 (B) of the Industrial Disputes (Central), Rules, 1957.

4. The order of reference was registered in the Tribunal on 19.10.2020 and the office was directed to issue registered notice to the workman for filing the statement of claim with list of documents & list of witnesses on 03.12.2020. On the date fixed i.e. 03.12.2020 none turned up on behalf of the workman; whereas the management appeared and filed its authority. However, the envelope containing notice to the workman had been received back in the office unserved with remark 'incomplete address, returned to the sender', therefore, the service of notice was sufficiently presumed. Further dates were being fixed in the interest of justice for filing of statement of claim. The workman remained absent on 02.02.2021, 06.04.2021, 01.06.2021, 16.09.2021, 21.12.2021 and 18.02.2022. The workman neither turned up on any of the aforementioned dates nor moved any application for adjournment seeking time to file the statement of claim. More than one and half years' time has passed and the workman has failed to file his statement of claim, therefore, the case was reserved for award keeping in view the reluctance of the workman to prosecute the case.

5. In the above circumstances, it appears that the workman does not want to pursue its claim on the basis of which he has raised the present industrial dispute; therefore, the present reference order is disposed of as if there is no grievance left with the workman. Resultantly, no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

6. Award as above.

LUCKNOW

03rd June, 2022

Let two copies of this award be sent to the Ministry for publication.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 2 अगस्त, 2022

का.आ. 714.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 49/2020) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01.08.2022 को प्राप्त हुआ था।

[सं. एल-22013/01/2022-आई.आर. (सीएम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 2nd August, 2022

S.O. 714.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 49/2020) of the Central Government Industrial Tribunal-cum-Labour Court, LUCKNOW as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workmen, received by the Central Government on 01.08.2022.

[No. L-22013/01/2022-IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—CUM—LABOUR COURT, LUCKNOW****PRESENT : SOMA SHEKHAR JENA, HJS (Retd.)****I.D. No. 49/2020****Ref. No. D-867/AB/2020/56/IRDDN Dated 03.09.2020/09.09.2020****BETWEEN :**

Shri Surendra Kumar S/o Shri Bahadur Singh
Mohalla – Gadiyana, Post – Shahar Khas
PS & Tehsil – Sadar
Distt. – Shahjahanpur (UP)

AND

1. The General Manager (Principal Employer), Food Corporation of India
Regional Office, T.C.3, V-Vibhuti Khand, Lucknow (UP)
2. The Regional Manager (Appointing Authority)
Food Corporation of India (FCI), Distt. Officer, Shahjahanpur (UP)
3. Sh. Rajender Saxena (Representative)
M/s Keshav Singh and Ors. T.P. No. 315, Katia Tolla
Shahjahanpur (UP)

AWARD

1. This industrial dispute concerning termination of workman, Surender Kumar, has been raised before this Tribunal by letter No. D-839/AB/2020/31/IRDDN Dated 03.09.2020/09.09.2020, issued by the Dy. Chief Labour Commissioner (C), Dehradun.
 2. The reference under adjudication is:
“WHETHER THE TERMINATION OF THE SERVICE OF SHRI SURENDRA KUMAR S/O SHRI BAHADUR SINGH, WHO WAS ENGAGED IN ROJA DEPOT OF FCI, SHAHAJANPUR, (UP) BY M/S KESHAV SINGH, CONTRACTOR OF FCI, FOR THE PERIOD 08.07.2008 TO 23.04.2010 IS PROPER AND JUSTIFIED. IF NOT, TO WHAT RELIEF, THE WORKMAN IS ENTITLED TO?”
 3. The order of reference was endorsed to the Shri Surendra Kumar S/o Shri Bahadur Singh, Mohalla – Gadiyana, Post – Shahar Khas, PS & Tehsil – Sadar, Distt. – Shahjahanpur (UP) with direction to the party raising the dispute to file the statement of claim along with relevant documents and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under rule 10 (B) of the Industrial Disputes (Central), Rules, 1957.
 4. The order of reference was registered in the Tribunal on 19.10.2020 and the office was directed to issue registered notice to the workman for filing the statement of claim with list of documents & list of witnesses on 03.12.2020. On the date fixed i.e. 03.12.2020 none turned up on behalf of the workman; whereas the management appeared and filed its authority. However, from track report of the notice, downloaded from the internet, it comes out that the envelope containing notice had been delivered to the workman on 05.11.2020, therefore, the service of notice was sufficiently presumed. Further dates were being fixed in the interest of justice for filing of statement of claim. The workman remained absent on 02.02.2021, 06.04.2021, 01.06.2021, 16.09.2021, 21.12.2021 and 18.02.2022. The workman neither turned up on any of the aforementioned dates nor moved any application for adjournment seeking time to file the statement of claim. More than one and half years' time has passed and the workman has failed to file his statement of claim, therefore, the case was reserved for award keeping in view the reluctance of the workman to prosecute the case.
 5. In the above circumstances, it appears that the workman does not want to pursue its claim on the basis of which he has raised the present industrial dispute; therefore, the present reference order is disposed of as if there is no grievance left with the workman. Resultantly, no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.
 6. Award as above.
- LUCKNOW.
03rd June, 2022.

Let two copies of this award be sent to the Ministry for publication.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 2 अगस्त, 2022

का.आ. 715.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 53/2020) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01.08.2022 को प्राप्त हुआ था।

[सं. एल-22013/01/2022-आई.आर (सीएम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 2nd August, 2022

S.O. 715.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 53/2020) of the Central Government Industrial Tribunal-cum-Labour Court, LUCKNOW as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workmen, received by the Central Government on 01.08.2022.

[No. L-22013/01/2022-IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT: SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 53/2020

Ref. No. D-860/AB/2020/49/IRDDN Dated 03.09.2020/09.09.2020

BETWEEN :

Shri Hansram S/o Shri Mool Chandra
Village – Gautiya Baldevpur
PO-Pipariya Mandap, Tehsil-Bisalpur
Distt. – Pilibhit (UP)

AND

1. The General Manager (Principal Employer), Food Corporation of India
Regional Office, T.C.3, V-Vibhuti Khand, Lucknow (UP)
2. The Regional Manager (Appointing Authority)
Food Corporation of India (FCI), Distt. Officer, Shahjahanpur (UP)
3. Sh. Rajender Saxena (Representative)
M/s Keshav Singh and Ors. T.P. No. 315, Katia Tolla
Shahjanapur (UP)

AWARD

1. This industrial dispute concerning termination of workman, Hansram, has been raised before this Tribunal by letter No. D-860/AB/2020/49/IRDDN Dated 03.09.2020/09.09.2020, issued by the Dy. Chief Labour Commissioner (C), Dehradun.
2. The reference under adjudication is:
“WHETHER THE TERMINATION OF THE SERVICE OF SHRI HANSRAM S/O SHRI MOOL CHANDRA, WHO WAS ENGAGED IN ROJA DEPOT OF FCI, SHAHAJANPUR, (UP) BY M/S KESHAV SINGH, CONTRACTOR OF FCI, FOR THE PERIOD 08.08.2008 TO 23.04.2010 IS PROPER AND JUSTIFIED. IF NOT, TO WHAT RELIEF, THE WORKMAN IS ENTITLED TO?”
3. The order of reference was endorsed to the Shri Hansram S/o Shri Mool Chandra, Village – Gautiya Baldevpur, PO-Pipariya Mandap, Tehsil-Bisalpur, Distt. – Pilibhit (UP) with direction to the party raising the dispute to file the statement of claim along with relevant documents and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under rule 10 (B) of the Industrial Disputes (Central), Rules, 1957.

5. The order of reference was registered in the Tribunal on 19.10.2020 and the office was directed to issue registered notice to the workman for filing the statement of claim with list of documents & list of witnesses on 03.12.2020. On the date fixed i.e. 03.12.2020 none turned up on behalf of the workman; whereas the management appeared and filed its authority. However, from track report of the notice, downloaded from the internet, it comes out that the envelope containing notice had been delivered to the workman on 18.11.2020, therefore, the service of notice was sufficiently presumed. Further dates were being fixed in the interest of justice for filing of statement of claim. The workman remained absent on 02.02.2021, 06.04.2021, 01.06.2021, 16.09.2021, 21.12.2021 and 18.02.2022. The workman neither turned up on any of the aforementioned dates nor moved any application for adjournment seeking time to file the statement of claim. More than one and half years' time has passed and the workman has failed to file his statement of claim, therefore, the case was reserved for award keeping in view the reluctance of the workman to prosecute the case.

5. In the above circumstances, it appears that the workman does not want to pursue its claim on the basis of which he has raised the present industrial dispute; therefore, the present reference order is disposed of as if there is no grievance left with the workman. Resultantly, no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

6. Award as above.

LUCKNOW

03rd June, 2022

Let two copies of this award be sent to the Ministry for publication.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 2 अगस्त, 2022

का.आ. 716.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 54/2020) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01.08.2022 को प्राप्त हुआ था।

[सं. एल-22013/01/2022-आई.आर (सीएम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 2nd August, 2022

S.O. 716.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 54/2020) of the Central Government Industrial Tribunal-cum-Labour Court, LUCKNOW as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workmen, received by the Central Government on 01.08.2022.

[No. L-22013/01/2022-IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT, LUCKNOW

PRESENT : SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 54/2020

Ref. No. D-839/AB/2020/31/IRDDN Dated 03.09.2020/09.09.2020

BETWEEN :

Shri Manoj Kumar S/o Shri Chote Lal
Village – Dulha Dhakia, Post – Dhakia Ragha
PS & Tehsil – Tilhar
Distt. – Shahjahanpur (UP)

AND

1. The General Manager (Principal Employer), Food Corporation of India
Regional Office, T.C.3, V-Vibhuti Khand, Lucknow (UP)
2. The Regional Manager (Appointing Authority)

Food Corporation of India (FCI), Distt. Officer, Shahjahanpur (UP)

3. Sh. Rajender Saxena (Representative)

M/s Keshav Singh and Ors. T.P. No. 315, Katia Tolla
Shahjahanpur (UP)

AWARD

1. This industrial dispute concerning termination of workman, Manoj Kumar, has been raised before this Tribunal by letter No. D-839/AB/2020/31/IRDDN Dated 03.09.2020/09.09.2020, issued by the Dy. Chief Labour Commissioner (C), Dehradun.

2. The reference under adjudication is:

"WHETHER THE TERMINATION OF THE SERVICE OF SHRI MANOJ KUMAR S/O SHRI CHOTE LAL, WHO WAS ENGAGED IN ROJA DEPOT OF FCI, SHAHAJANPUR, (UP) BY M/S KESHAV SINGH, CONTRACTOR OF FCI, FOR THE PERIOD 08.07.2008 TO 23.04.2010 IS PROPER AND JUSTIFIED. IF NOT, TO WHAT RELIEF, THE WORKMAN IS ENTITLED TO?"

3. The order of reference was endorsed to the Shri Manoj Kumar S/o Shri Chote Lal, Village – Dulha Dhakia, Post – Dhakia Ragha, PS & Tehsil – Tilhar, Distt. – Shahjahanpur (UP) with direction to the party raising the dispute to file the statement of claim along with relevant documents and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under rule 10 (B) of the Industrial Disputes (Central), Rules, 1957.

6. The order of reference was registered in the Tribunal on 19.10.2020 and the office was directed to issue registered notice to the workman for filing the statement of claim with list of documents & list of witnesses on 03.12.2020. On the date fixed i.e. 03.12.2020 none turned up on behalf of the workman; whereas the management appeared and filed its authority. However, from track report of the notice, downloaded from the internet, it came out that the envelope containing notice had been delivered to the workman on 07.11.2020, therefore, the service of notice was sufficiently presumed. Further dates were being fixed in the interest of justice for filing of statement of claim. The workman union remained absent on 02.02.2021, 06.04.2021, 01.06.2021, 16.09.2021, 21.12.2021 and 18.02.2022. The workman neither turned up on any of the aforementioned dates nor moved any application for adjournment seeking time to file the statement of claim. More than one and half years' time has passed and the workman has failed to file his statement of claim, therefore, the case was reserved for award keeping in view the reluctance of the workman to prosecute the case.

5. In the above circumstances, it appears that the workman does not want to pursue its claim on the basis of which he has raised the present industrial dispute; therefore, the present reference order is decided as if there is no grievance left with the workman. Resultantly, no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

6. Award as above.

LUCKNOW

03rd June, 2022

Let two copies of this award be sent to the Ministry for publication.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 2 अगस्त, 2022

का.आ. 717.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजको और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 52/2020) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01.08.2022 को प्राप्त हुआ था।

[सं. एल-22013/01/2022-आई.आर. (सीएम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 2nd August, 2022

S.O. 717.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 52/2020) of the Central Government Industrial Tribunal-cum-Labour Court, LUCKNOW as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workmen, received by the Central Government on 01/08/2022

[No. L-22013/01/2022–IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL–CUM-LABOUR COURT, LUCKNOW

PRESENT : SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 52/2020

Ref. No. D-861/AB/2020/50/IRDDN Dated 03.09.2020/09.09.2020

BETWEEN :

Shri Ramakant S/o Shri Salim Prasad
Village – Akhauri, PO-Amrita Khas
PS & Tehsil – Bisalpur, Distt. – Pilibhit (UP)

AND

1. The General Manager (Principal Employer), Food Corporation of India
Regional Office, T.C.3, V-Vibhuti Khand, Lucknow (UP)
2. The Regional Manager (Appointing Authority)
Food Corporation of India (FCI), Distt. Officer, Shahjahanpur (UP)
3. Sh. Rajender Saxena (Representative)
M/s Keshav Singh and Ors. T.P. No. 315, Katia Tolla
Shahjanapur (UP)

AWARD

1. This industrial dispute concerning termination of workman, Rama Kant, has been raised before this Tribunal by letter No. D-861/AB/2020/50/IRDDN Dated 03.09.2020/09.09.2020, issued by the Dy. Chief Labour Commissioner (C), Dehradun.
2. The reference under adjudication is:
“WHETHER THE TERMINATION OF THE SERVICE OF SHRI RAMAKANT S/O SHRI SALIM PRASAD, WHO WAS ENGAGED IN ROJA DEPOT OF FCI, SHAHAJANPUR, (UP) BY M/S KESHAV SINGH, CONTRACTOR OF FCI, FOR THE PERIOD 04.08.2008 TO 23.04.2010 IS PROPER AND JUSTIFIED. IF NOT, TO WHAT RELIEF, THE WORKMAN IS ENTITLED TO?”
3. The order of reference was endorsed to the Shri Ramakant S/o Shri Salim Prasad, Village – Akhauri, PO-Amrita Khas, PS & Tehsil – Bisalpur, Distt. – Pilibhit (UP) with direction to the party raising the dispute to file the statement of claim along with relevant documents and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under rule 10 (B) of the Industrial Disputes (Central), Rules, 1957.
7. The order of reference was registered in the Tribunal on 19.10.2020 and the office was directed to issue registered notice to the workman for filing the statement of claim with list of documents & list of witnesses on 03.12.2020. On the date fixed i.e. 03.12.2020 none turned up on behalf of the workman; whereas the management appeared and filed its authority. However, from track report of the notice, downloaded from the internet, it comes out that the envelope containing notice had been delivered to the workman on 11.11.2020, therefore, the service of notice was sufficiently presumed. Further dates were being fixed in the interest of justice for filing of statement of claim. The workman remained absent on 02.02.2021, 06.04.2021, 01.06.2021, 16.09.2021, 21.12.2021 and 18.02.2022. The workman neither turned up on any of the aforementioned dates nor moved any application for adjournment seeking time to file the statement of claim. More than one and half years' time has passed and the workman has failed to file his statement of claim, therefore, the case was reserved for award keeping in view the reluctance of the workman to prosecute the case.
5. In the above circumstances, it appears that the workman does not want to pursue its claim on the basis of which he has raised the present industrial dispute; therefore, the present reference order is disposed of as if there is no

grievance left with the workman. Resultantly, no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

6. Award as above.

LUCKNOW

03rd June, 2022

Let two copies of this award be sent to the Ministry for publication.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 2 अगस्त, 2022

का.आ. 718.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 51/2020) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01.08.2022 को प्राप्त हुआ था।

[सं. एल-22013/01/2022-आई.आर (सीएम-II)]

राजेन्द्र सिंह, अवर सचिव

New Delhi, the 2nd August, 2022

S.O. 718.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 51/2020) of the Central Government Industrial Tribunal-cum-Labour Court, LUCKNOW as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workmen, received by the Central Government on 01.08.2022.

[No. L-22013/01/2022-IR (CM-II)]

RAJENDER SINGH, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT : SOMA SHEKHAR JENA, HJS (Retd.)

I.D. No. 51/2020

Ref. No. D-869/AB/2020/58/IRDDN Dated 03.09.2020/09.09.2020

BETWEEN :

Shri Satyendra S/o Shri Bahadur Lal
Village – Niwajpur Gauriya, Post & PS – Tilhar
Distt.- Shahjahanpur (UP)

AND

1. The General Manager (Principal Employer), Food Corporation of India
Regional Office, T.C.3, V-Vibhuti Khand, Lucknow (UP)
2. The Regional Manager (Appointing Authority)
Food Corporation of India (FCI), Distt. Officer, Shahjahanpur (UP)
3. Sh. Rajender Saxena (Representative)
M/s Keshav Singh and Ors. T.P. No. 315, Katia Tolla
Shahjahanpur (UP)

AWARD

1. This industrial dispute concerning termination of workman, Satyendra, has been raised before this Tribunal by No. D-869/AB/2020/58/IRDDN Dated 03.09.2020/09.09.2020, issued by the Dy. Chief Labour Commissioner (C), Dehradun.

2. The reference under adjudication is:

“WHETHER THE TERMINATION OF THE SERVICE OF SHRI SATYENDRA S/O SHRI BAHADUR LAL, WHO WAS ENGAGED IN ROJA DEPOT OF FCI, SHAHAJANPUR, (UP) BY M/S KESHAV SINGH,

CONTRACTOR OF FCI, FOR THE PERIOD 03.08.2008 TO 23.04.2010 IS PROPER AND JUSTIFIED. IF NOT, TO WHAT RELIEF, THE WORKMAN IS ENTITLED TO?"

3. The order of reference was endorsed to the Shri Satyendra S/o Shri Bahadur Lal, Village – Niwajpur Gauriya, Post & PS – Tilhar, Distt.- Shahjahanpur (UP) with direction to the party raising the dispute to file the statement of claim along with relevant documents and witnesses with the Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such a statement to each one of the opposite parties involved in this dispute under rule 10 (B) of the Industrial Disputes (Central), Rules, 1957.

4. The order of reference was registered in the Tribunal on 19.10.2020 and the office was directed to issue registered notice to the workman for filing the statement of claim with list of documents & list of witnesses on 03.12.2020. On the date fixed i.e. 03.12.2020 none turned up on behalf of the workman; whereas the management appeared and filed its authority. However, the envelope containing notice to the workman had been received back in the office unserved with remark 'काफी तलाश करने पर भी प्रासकर्ता का पता नहीं चला अतः प्रेषक को वापस', therefore, the service of notice was sufficiently presumed. Further dates were being fixed in the interest of justice for filing of statement of claim. The workman remained absent on 02.02.2021, 06.04.2021, 01.06.2021, 16.09.2021, 21.12.2021 and 18.02.2022. The workman neither turned up on any of the aforementioned dates nor moved any application for adjournment seeking time to file the statement of claim. More than one and half years' time has passed and the workman has failed to file his statement of claim, therefore, the case was reserved for award keeping in view the reluctance of the workman to prosecute the case.

5. In the above circumstances, it appears that the workman does not want to pursue its claim on the basis of which he has raised the present industrial dispute; therefore, the present reference order is disposed of as if there is no grievance left with the workman. Resultantly, no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

6. Award as above.

LUCKNOW.

03rd June, 2022

Let two copies of this award be sent to the Ministry for publication.

SOMA SHEKHAR JENA, Presiding Officer